REMARKS

In the office action dated December 27, 2005, the examiner rejected claims 1-46 under 35 USC 102(e) as anticipated by Casement et al. USPN 5,969,748. Applicants amended claims 1, 13, 19 and 25 to further distinguish the claimed inventions over Casement. In view of the foregoing, Applicants request reconsideration and withdrawal of the examiner's rejections.

The subject application and claims are directed to solving, e.g., the problem where a parent, while watching TV during a time period that their children would normally not be accessing the TV, disables the V-chip protection to watch a particular broadcast program that is prevented by the V-chip content or rating settings, and then forgets to re-enable the V-chip protection when done viewing the broadcast program. With the V-chip disabled, the child has access to broadcast content that the parent had chosen to prevent the child from gaining access to by initially enabling the V-chip protection. The application and claims prevent the occurrence of such a mishap or remove the inconvenience of having to enter a password to view a particular program, by allowing the parent to select finite time periods (selected time period) during which the V-Chip content protection would be enabled and the level of content protection (selected content level) to be imposed during these finite time periods or V-Chip protection periods. When the TV receives a broadcast signal, a logic unit, computer, or comparator would then first compare the actual time to the selected time period and if the actual time is outside of the selected time period the comparator would allow the program signal to pass. If the actual time is within the selected time period the comparator would compare a broadcast content indicator with the selected content level and if the content indicator exceeds the selected content level the comparator would prevent passage of the signal.

The logic of Casement is wholly different. For example, if the actual time is outside of the selected time period in Casement, instead of disabling the V-Chip or program impairment system and letting the program signal pass as in the claims of the subject application, Casement checks for a channel lock, a content and rating lock, or some other lock, and, if present, impairs the program signal requiring the entry of a password to be able to view the program. If the actual time is within the selected time period, instead of comparing a selected content level associated with the selected time period as in the claims of the subject application to determine whether the particular program signal should be impaired, Casement blocks the use of the TV completely, again requiring a password to be entered to enable use of the TV. Casement, like other previously cited references, simply does not teach, describe or suggest controlling viewing by selecting finite time periods and content levels associated with the finite time period and then utilize this stored data, i.e., utilize the time variable with an associated a content variable at the same time to determine whether or not to block passage of a broadcast signal or display of content. Casement clearly blocks the display of the program based on content or blocks the display of all programs (i.e., blocks the complete use of the TV) based on a selected time period. Casement simply does not first compare the actual time to see if it falls within a selected time period for V-Chip protection, and if it does, then compare the content indicator with a selected level of content protection associated with the selected time period; and if it does not fall within the selected time period, disable the content protection and allow viewing unimpaired without any additional input from the use..

Moreover, Casement clearly suffers from the problem that the instant application and claims seek to over come. In Casement, V-chip protection – whether it's time block, channel block, rating block, etc. -- is either always enabled or always disabled. <u>There is no period when</u>

the V-chip is disabled by the system and then enabled by the system to protect based on content. If a user parent or other adult wants to view something that is on during a locked time period or that exceeds the content protection parameters during a period in which a child or other less mature viewer would not normally have access to the TV, the user must enter a password to disable the V-chip. If the user forgets to re-enable the V-chip, the child or less mature audience will have access to broadcast content the parent or adult intended to prevent access to.

The examiner appears to rely on a single statement to assert that Casement provides a teaching of the claimed subject matter. See e.g.,

> Col. 3, lines 33-36:
> The system further has the capability of preventing viewers from tuning to or viewing one or more TV programs. TV programs may be blocked by channel, rating, content, and/or time.

Figures 2B through 2E and 4, and the excerpts from Casement provided below make clear that this statement does not provide a teaching of the claimed invention, i.e., it does not suggest or teach the selection of a finite time period and associate content level, checking to see if the actual time is within a selected finite time period and, if it is, comparing a program content indicator with the content level associated with the selected finite time period and blocking the program if the content indicator exceeds the associate content level. The statement merely states that you can use any of these variables to control viewing, but not that they are used in combination with one another. This is clear from the following statements in Casement in conjunction with the figures:

> If the user turns on the TV during a locked time, **or** tunes to a channel with a show that contains the locked rating or content/V-chip classification (for example), the television schedule system mutes the audio and displays a solid blue screen over the TV screen. **A pop-up will appear asking for the parental password. The solid blue screen will disappear, and mute will be disabled when the correct password is entered.**

It does not say, "if the user turns on the TV during a locked time period and the program content indicator exceeds the selected content level associated with the locked time period, the television schedule system mutes the audio and displays a solid blue screen." It is an "or" statement, the variables are simply not used in conjunction with one another. The following excerpts further support this interpretation of Casement:

> Col. 3, line 66 – Col. 4, line 8:
> FIG. 2B shows a preferred embodiment of parental control menu 54 shown to a user when a parental password has been established, from main menu 50, and the user has entered the correct password. The user may lock TV programs by channel, by rating and/or content, **or by time**. If the user desires, for example, to lock by time, the user may move the cursor to the "Lock by Time" location and inputs the SELECT key. Alternatively, if programs have been locked, the user may unlock all programs that have been locked.
>
> Col. 4, line 61—Col. 5, line 5:
> The user may also lock specified time periods to prevent TV viewing during those times **[this is the prevention of TV viewing in its entirety and not viewing of programs of selected content or rating as described or claimed in the subject application]**. The user may further specify the frequency of the lock, e.g., for a single day, for Monday through Friday only, weekends only, or for every day of the week. FIG. 2E shows pop-up 62, which requests user input for the time period during which TV viewing should be prevented. As shown, the user may specify the time to begin locking (the default time is 2:30 pm), the time to end locking (the default time is 5 pm), and the frequency of the lock (the default frequency is for a single day). In the situation where the user has set these values before, the system remembers the values and displays them when pop-up 62 is shown.

Applicants respectfully submit that Casement does not meet each and every limitation of the claims. Accordingly, claim 1-46 meet the requirements for patentability under 35 USC 102(e).

CONCLUSION

Applicants respectfully assert the application is in condition for allowance. Prompt and favorable action on the merits of the claims is earnestly solicited. Should the Examiner have any questions or comments, the undersigned can be reached at (949) 567-6700.

Respectfully submitted,

ORRICK, HERRINGTON & SUTCLIFFE LLP

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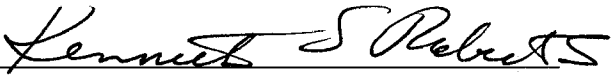
By: 

Kenneth S. Roberts
Reg. No. 38,358

4 Park Plaza, Suite 1600
Irvine, CA 92614-2558
Tel. 949-567-6700
Fax: 949-567-6710